

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
ASPEX EYEWEAR, INC. et al., :

Plaintiffs, :

- against - :

CLARITI EYEWEAR, INC., :

Defendant. :

-----x

CHIN, District Judge

Defendant Clariti Eyewear, Inc. has filed a motion for summary judgment without requesting a premotion conference pursuant to the Court's individual practices. In fact, my law clerk specifically informed defense counsel by telephone that a premotion conference was necessary before filing such a motion, but defendant has nonetheless filed the motion without requesting a conference.

The motion for summary judgment is denied, without prejudice to refiling after a premotion conference has been held. A premotion conference will be held on April 3, 2008, at 10:00 a.m. at 500 Pearl Street, New York, New York 10007, Courtroom 11A.

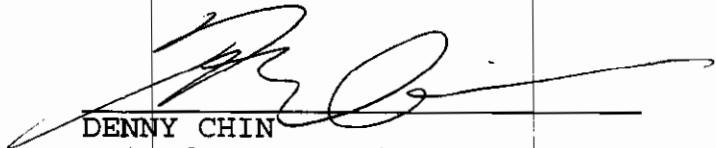
SO ORDERED.

Dated: New York, New York
March 20, 2008

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ORDER

07 Civ. 2373 (DC)


DENNY CHIN
United States District Judge